

D E B E V O I S E   &   P L I M P T O N   L L P

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October 28, 2013

The Honorable Denise L. Cote  
United States District Judge  
United States District Court for the  
Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl St.  
New York, NY 10007-1312

**United States ex rel Anti-Discrimination Center of  
Metro New York, Inc. v. Westchester County, New York (No. 06 Civ. 2860)**

Dear Judge Cote:

I write to inform the Court and the parties of the Monitor's intention to allocate a larger portion of the Monitor's current budget to the use of expert consultants, including to develop a toolkit for the design of affordable housing, as described in greater detail at pages 35 through 37 of the Monitor's Report filed on February 25, 2013.

Paragraph 17(b) of the Stipulation and Order of Settlement and Dismissal (the "Settlement") provides for an annual budget for the fees and expenses of the Monitor: \$250,000 annually for each of the first two years following approval of the Settlement, then \$175,000 annually thereafter. Over the course of the four years since the Court's approval of the Settlement, that budget has covered less than 20% of the time and expenses incurred by the Monitor. The balance – nearly \$3.9 million in time and expenses – has been contributed by the Monitor at no cost to Westchester County.

The Monitor is prepared to continue to contribute substantial time and resources to this matter without seeking compensation. Debevoise & Plimpton LLP will, however, forgo all fees for this fiscal year. Instead, all of the budget will be allocated to pay for experts needed to further the purposes of the Settlement. In particular, the design toolkit

The Honorable Denise L. Cote

2

October 28, 2013

will assist Westchester County, its municipalities, developers and community members with the development of affordable AFFH housing and thereby further the goals of the Settlement.

Respectfully submitted,

/s/ James E. Johnson

cc: Kevin J. Plunkett, Esq., Deputy County Executive  
Mary Mahon, Special Assistant to the County Executive  
Kenneth W. Jenkins, Chairman of the Westchester County Board of  
Legislators  
Glenda Fussá, Deputy Regional Counsel, New York Office, HUD  
David J. Kennedy, Assistant U.S. Attorney (S.D.N.Y.)  
Benjamin H. Torrance, Assistant U.S. Attorney (S.D.N.Y.)  
Lara K. Eshkenazi, Assistant U.S. Attorney (S.D.N.Y.)